

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL MARTIN,

Plaintiff,

v.

CHERYL STRANGE,

Defendant.

CASE NO. 3:23-cv-05039-TMC-BAT

**ORDER DENYING MOTION FOR
RECONSIDERATION AND
STRIKING PLAINTIFF’S MOTION
TO AMEND THE COMPLAINT
WITH LEAVE TO RENEW
MOTION TO AMEND BY
OCTOBER 4, 2023**

Plaintiff moves to reconsider the denial of appointed counsel. **Dkt. 23**. The Court has twice denied plaintiff’s motions to appoint counsel. *See* Dkts. 13, 18. The Court **DENIES** plaintiff’s motion to reconsider the denial of appointed counsel for the reasons previously stated. *See* Dkts. 13, 18.

Plaintiff moves for a second time to amend the complaint. **Dkt. 24**. The Court **STRIKES** the motion with leave to renew by **October 4, 2023**, because plaintiff did not follow the Court’s instructions. The Court informed Plaintiff: “**The proposed, amended complaint will serve as a substitute for, not a supplement to, the original complaint; as such, it should set forth all of the claims asserted.**” Dkt. 21, at 1. Plaintiff instead submitted a two-page document that sets

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1 forth additional defendants to be added to the original complaint. Dkt. 24. Were the Court to take
2 the two-page, combined motion plus amended complaint at face value, it would recommend
3 dismissal of the action for failure to state a claim; were the Court to deny the motion to amend,
4 then the original complaint contains none of the proposed, additional defendants. Plaintiff is
5 informed that the “motion to amend” is a separate document from the attached “proposed,
6 amended complaint,” and that his renewed motion to amend should include **both** documents
7 (motion **plus** attached amended complaint). The amended complaint should be at least as
8 complete in setting forth his claims as was his original complaint.

9 The Court reiterates that if plaintiff moves to amend the complaint by **October 4, 2023**,
10 he must **attach** to the motion a proposed, amended complaint that will serve **as a substitute for**,
11 **not a supplement to**, the original complaint; as such, **the proposed, amended complaint**
12 **should set forth all of the claims** such that the original complaint need not be read to
13 understand the lawsuit. If the Court grants leave to file the amended complaint, it will revise the
14 pretrial deadlines accordingly. *See* Dkt. 15.

15 DATED this 12th day of September, 2023.

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18 BRIAN A. TSUCHIDA
United States Magistrate Judge

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